

THIRD DAY

(Wednesday, August 29, 1934)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Holland.
Adamson.	Holloway.
Aikin.	Hoskins.
Alexander.	Huddleston.
Alsup.	Hughes.
Atchison.	Hunt.
Baker.	Hunter.
Barrett.	Hyder.
Barron.	Jackson.
Beck.	James.
Bedford.	Jefferson.
Bergman.	Johnson
Bourne.	of Anderson.
Bradley.	Jones of Atascosa.
Burns.	Jones of Runnels.
Butler.	Jones of Shelby.
Calvert.	Kayton.
Camp.	Kyle of Hays.
Canon.	Kyle of Palo Pinto.
Cathey.	Laird.
Caven.	Lange.
Celaya.	Latham.
Chastain.	Lemens.
Clayton.	Leonard.
Colson.	Lindsey.
Coombes.	Long.
Cowley.	Lotief.
Crossley.	Mackay.
Daniel.	Magee.
Davidson.	Mathis.
Dean.	McCullough.
Devall.	McKee.
Dunagan.	Merritt.
Duvall.	Metcalf.
Dwyer.	Mitcham.
Engelhard.	Moffett.
Fain.	Moore.
Fisher.	Morrison.
Ford.	Morse.
Fuchs.	Nicholson.
Glass.	Palmer.
Golson.	Parkhouse.
Good.	Patterson.
Goodman.	Pavlica.
Graves.	Pope.
Greathouse.	Puryear.
Griffith.	Ramsey.
Hankamer.	Ratliff.
Harman.	Ray.
Harris.	Reed of Bowie.
Harrison.	Reed of Dallas.
Hartzog.	Renfro.
Head.	Riddle.
Hicks.	Roark.
Hill.	Roberts.
Hodges.	Rogers of Hunt.
Holekamp.	

Rogers	Tarwater.
of Ochiltree.	Tennysón.
Rollins.	Thomas.
Russell.	Tillery.
Savage.	Townsend.
Scarborough.	Turlington.
Scott.	Van Zandt.
Shannon.	Vaughan.
Shults.	Walker.
Smith.	Weinert.
Stanfield.	Wells.
Steward.	Winningham.
Stinson.	Wood.
Stovall.	Young.
Stubbeman.	

Absent

Dunlap.	McGregor.
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Absent—Excused

Anderson.	McDougald.
Hester.	Munson.
Johnson	Reader.
of Dimmit.	Wagstaff.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Reader for today, on motion of Mr. Glass.

Mr. Anderson for today, on motion of Mr. Kayton.

Mr. Wagstaff for today, on motion of Mr. Aikin.

Mr. McDougald for today and the balance of the week, on motion of Mr. Hankamer.

Mr. Munson for today, on motion of Mr. Reed of Dallas.

Mr. Johnson of Dimmit was granted leave of absence for today and the balance of the week, on account of illness, on motion of Mr. Ford.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Engelhard:

H. B. No. 3, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Fund; authorizing the payment of certain sums out of the Highway Fund; authorizing the payment

of said miscellaneous claims on the taking effect of this Act."

Referred to Committee on Claims and Accounts.

By Mr. Coombes, Mr. McCullough, Mr. Lotief, Mr. Good, Mr. Hunt, Mr. Dunagan, Mr. Goodman, Mr. Lindsey, Mr. Cathey, Mr. Holland, Mr. Barron, Mr. Russell, Mr. Walker, Mr. Adamson, Mr. Merritt, Mr. Long, Mr. Latham, Mr. Holloway, Mr. Alsup, Mr. Tennyson, Mr. Bradley, Mr. Chastain, Mr. Harris, Mr. Lemens, Mr. Van Zandt, Mr. Johnson of Anderson, Mr. Devall, Mr. Morrison, Mr. Caven, Mr. Calvert, Mr. Laird, Mr. McGregor, Mrs. Hughes, Mr. Alexander, Mr. Stinson, Mr. Rogers of Hunt, Mr. Morse, Mr. Stovall, Mr. Mackay, Mr. Graves, Mr. Pope, Mr. Hankamer, Mr. Canon, Mr. Engelhard, Mr. Head, Mr. Mitcham, Mr. Scott, Mr. Kyle of Hays, Mr. Savage, Mr. Parkhouse, Mr. Duvall, Mr. James, Mr. Hunter, Mr. Huddleston, Mr. Winningham, Mr. Young, Mr. Moore, Mr. Turlington, Mr. Griffith, Mr. Reed of Dallas, Mr. Kyle of Palo Pinto, Mr. Hartzog, Mr. Roberts, Mr. Moffett, Mr. Hyder, Mr. Nicholson, Mr. Bourne, Mr. Riddle, Mr. Magee, Mr. Metcalfe, Mr. Rogers of Ochiltree, Mr. Tarwater, Mr. Holkamp, Mr. Scarborough, Mr. Shannon, Mr. Vaughan, Mr. McKee, and Mr. Bedford:

H. B. No. 4, A bill to be entitled "An Act making an appropriation to pay judgments of the district and county courts refunding to the heirs, devisees, legatees, or legal representatives of deceased persons, whose estates have escheated to the State, such sums of money belonging to such escheated estates as have been paid into the Public Treasury; authorizing the payment of such claims on the taking effect of this Act and the filing with the Comptroller of a copy of the order of the court under the seal of the court."

Referred to Committee on Appropriations.

By Mr. Coombes, Mr. McCullough, Mr. Lotief, Mr. Good, Mr. Hunt, Mr. Dunagan, Mr. Goodman, Mr. Lindsey, Mr. Cathey, Mr. Holland, Mr. Barron, Mr. Russell, Mr. Walker, Mr. Adamson, Mr. Merritt, Mr. Latham, Mr. Holloway, Mr. Alsup, Mr. Tennyson, Mr. Bradley, Mr. Chastain, Mr. Harris, Mr. Lemens, Mr. Van Zandt, Mr. Devall, Mr. Morrison, Mr. Caven, Mr. Calvert, Mr. Laird, Mr. Johnson

of Anderson, Mr. Beck, Mr. McGregor, Mrs. Hughes, Mr. Alexander, Mr. James, Mr. Stinson, Mr. Rogers of Hunt, Mr. Morse, Mr. Stovall, Mr. Graves, Mr. Pope, Mr. Hankamer, Mr. Canon, Mr. Mackay, Mr. Engelhard, Mr. Head, Mr. Mitcham, Mr. Scott, Mr. Kyle of Hays, Mr. Savage, Mr. Parkhouse, Mr. Duvall, Mr. Hunter, Mr. Huddleston, Mr. Winningham, Mr. Young, Mr. Moore, Mr. Turlington, Mr. Griffith, Mr. Reed of Dallas, Mr. Kyle of Palo Pinto, Mr. Roberts, Mr. Moffett, Mr. Hyder, Mr. Nicholson, Mr. Bourne, Mr. Riddle, Mr. Magee, Mr. Metcalfe, Mr. Rogers of Ochiltree, Mr. Tarwater, Mr. Holkamp, Mr. Scarborough, Mr. Shannon, Mr. McKee, and Mr. Bedford:

H. B. No. 5, A bill to be entitled "An Act making an appropriation to pay judgments of the district and county courts refunding to the heirs, devisees, legatees or legal representatives of deceased persons, whose estates have escheated to the State, such sums of money belonging to such escheated estates as have been paid into the State Treasury; authorizing the payment of such claims on the taking effect of this Act and the filing with the Comptroller of a copy of the order of the court under seal of the court."

Referred to Committee on Appropriations.

COMMUNICATION IN REGARD TO ILLNESS OF HON. A. P. JOHNSON

The Speaker laid before the House, and had read the following communication:

The State of Texas
County of Dimmit

I, B. E. Pickett, M. D., County Health Officer in and for Dimmit County, Texas, and the personal and family physician of A. P. Johnson, hereby certify that Mr. Johnson has recently suffered an attack of bronchial pneumonia and is now in a very weakened condition; and, it is my opinion, that his recovery is dependent largely on complete rest, for probably sixty days, and that he is physically unable to attend to business or legislative matters, and that it would be imprudent and dangerous for him to do so.

This the 24th day of August, 1934.
B. E. PICKETT, M. D.

PROVIDING FOR JOINT SESSION OF THE HOUSE AND SENATE

Mr. Long offered the following resolution:

H. C. R. No. 5, Providing for a Joint Session of the House and Senate.

Whereas, The House, on August 28, passed a concurrent resolution requesting Mr. Adam Johnson, Mr. Strauss, and Mr. Hager, members of the Relief Commission and members of the Relief Committee to address a Joint Session of the House and Senate at a date convenient to them; and

Whereas, These gentlemen are in town this morning with their information available on the problem of relief; now, therefore, be it

Resolved by the House, the Senate concurring, That the House and Senate sit in Joint Session, August 29, at 10:30 o'clock a. m., in the Hall of the House of Representatives to hear the above named gentlemen.

The resolution was read second time, and was adopted.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, August 28, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 1, mileage and per diem.

H. B. No. 2, mileage and per diem.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RELATIVE TO THE EXPENDI- TURE OF FEDERAL AND STATE RELIEF FUNDS

Mr. Hunter offered the following resolution:

Whereas, The Texas Relief Commission, acting through its Director, has requested the Legislature of Texas to authorize immediately the issuance and sale of ten million dollars of additional State relief bonds so that this money may be expended by the Texas Relief Commission; and

Whereas, The Texas Relief Commission, after expending \$55,000,000 of Federal and \$10,000,000 of State relief funds has to date failed to render any detailed accounting to the

Legislature of Texas as to how these funds were expended; and

Whereas, The most arbitrary and autocratic financial powers ever imposed upon a governmental agency has been entrusted to the Texas Relief Commission by the Legislature of Texas; and

Whereas, The Constitution of the State of Texas specifically stipulated the manner in which the State relief funds shall be expended; and

Whereas, The Members of the Legislature are under oath to comply with this constitutional requirement and are, in the absence of detailed information as to how the previous ten million dollars was expended, unable to intelligently pass upon the issuance of an additional ten million dollars; and

Whereas, The Legislature of Texas is apparently the only agency empowered with the power and duty to investigate the expenditure of State relief funds; therefore, it is the spirit of the House of Representatives of the Legislature of Texas that the Texas Relief Commission should properly have accompanied its request for ten million dollars additional funds with a detailed accounting as to how the previous ten million dollars, authorized by the Legislature, was expended, and showing that such funds were expended in strict accordance with the specific requirements of the Constitution of Texas; that the citizens of Texas are entitled to have, through their duly selected Representatives in the Legislature of Texas, a detailed and itemized report of all moneys, whether State or Federal, entrusted to the Texas Relief Commission; that the State Relief Director immediately submit to the House of Representatives of the Legislature of Texas a true and correct accounting, itemized and in detail, showing the expenditure of all State and Federal relief funds entrusted to the Texas Relief Commission; that the State Auditor appear before the House of Representatives and report upon expenditure of State relief funds by the Texas Relief Commission.

The resolution was read second time.

Mr. Kayton offered the following substitute for the resolution:

Whereas, House Bill No. 1 has been introduced requesting the authorization of \$9,500,000 of Texas Relief Bonds, and

Whereas, Said bill has been reported favorably from the Committee on State Affairs after a brief hearing, and

Whereas, The Forty-third Legislature has already authorized the issuance of the sale of \$10,500,000 worth of Texas Relief Bonds; and

Whereas, No accounting has ever been made to the Forty-third Legislature, which represents the people of Texas or to the people of Texas directly or indirectly as to how, when, and where said money has been or will be spent; and

Whereas, It is alleged that vast sums of Federal Funds have been expended in addition to the funds expended by the State of Texas for relief purposes in Texas; and

Whereas, In view of the fact that in the message sent by the Governor to this Legislature at its convening, it was estimated that \$35,000,000 would be necessary for adequate relief from now until next summer; and

Whereas, This sum of money is in excess of any possible revenues available through any present existing tax source at this time and that the people of Texas are vitally interested and will be tremendously affected by the necessity of raising such funds, and the budgeting and expenditure of same; now, therefore, be it

Resolved, That the House of Representatives shall sit as a Committee of the Whole when House Bill No. 1 is presented for discussion and that the Governor and the Texas Relief Commission together with its Director shall be requested to sit with the Committee and frankly discuss the dangerous conditions of Texas and Texans today; and be it further

Resolved, That the Texas Relief Commission furnish to this Committee of the Whole House an itemized accounting of all expenditures in Texas to date, including all character of Federal funds, allotments, and issuances, regardless of their nature or how restricted by Federal regulations; be it further

Resolved, That no hearing on House Bill No. 1 be held until such full and complete report is furnished the Committee of the Whole House for its guidance.

KAYTON,
DUVALL,
JAMES.

Mr. Long moved that the pending resolution and the substitute resolu-

tion, offered by Mr. Kayton, be laid on the table subject to call.

Question—Shall the motion by Mr. Long prevail?

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, August 29, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has passed

H. C. R. No. 4. Inviting Mr. Adam Johnson, Wm. Strauss, and others to address a joint session of the House and Senate. (With amendments.)

H. C. R. No. 5. Providing for a joint session of the House and Senate for the purpose of hearing an address by Mr. Adam Johnson, Mr. Wm. Strauss, and Mr. Lee Heger, August 29, 1933.

Respectfully,

BOB BARKER,
Secretary of the Senate.

ADDRESSES IN REGARD TO RELIEF WORK IN TEXAS

In accordance with a resolution heretofore adopted providing for a Joint Session of the House and Senate, at 10:30 o'clock a. m., today, to hear addresses in regard to relief work in Texas, the Honorable Senate, escorted by Hon. Bob Barker, Secretary of the Senate, and A. W. Holt, Sergeant-at-Arms of the Senate, appeared at the Bar of the House, and were admitted, and escorted to seats prepared for them. Lieutenant Governor Edgar Witt was escorted to a seat on the Speaker's stand.

Speaker Coke Stevenson called the House to order and stated that the two Houses were in Joint Session for the purpose of hearing addresses in regard to the relief work in Texas.

Lieutenant Governor Edgar Witt called the Senate to order, and introduced Hon. Adam R. Johnson, director of relief work in Texas, who addressed the Joint Session.

Mr. Johnson at the conclusion of his address introduced Mr. Charles Braun, who addressed the Joint Session.

Senator Woodul introduced Mr. William Strauss of Houston, who addressed the Joint Session.

Speaker Coke Stevenson introduced Hon. Oscar Holcombe, Mayor of Houston.

Mr. Holcombe then addressed the Joint Session.

Speaker Coke Stevenson stated that the business of the Joint Session was concluded.

SENATE RETIRES

The Senate, at 12 o'clock m., retired to its Chamber.

ADJOURNMENT

Mr. Kayton moved that the House recess to 2 o'clock p. m., today.

Mr. Jones of Atascosa moved that the House adjourn until 10 o'clock a. m., tomorrow.

The motion of Mr. Jones of Atascosa prevailed, and the House, accordingly, at 12 o'clock m., adjourned until 10 o'clock a. m., tomorrow.

In Memory of Donna Bourne

Mr. Wells offered the following resolution:

Whereas, On March 27, 1933, there was born into the home of Hon. and Mrs. C. D. Bourne, Jr., a gift from the Giver of Life, whom they christened Donna; and

Whereas, Donna was a bearer of much great joy and happiness to our beloved friends and fellow-worker; and

Whereas, The same Giver of Life conceived in His omniscience that this flowerlet whom He had planted on earth had a better setting in His celestial garden, she was taken from this life on May 8, 1934; therefore, be it

Resolved, That the House of Representatives, in Third Called Session, communicate our sympathy to the bereaved parents through this resolution, not as a measure of our feeling, but because of it.

Respectfully submitted,

WELLS,
HEAD,
AIKIN,
CANON.

The resolution was read second time.

On motion of Mr. Canon, the names of all the Members of the House were added to the resolution as signers thereof.

Signed—Stevenson, Speaker; Adamson, Alexander, Alsup, Anderson, Atchison, Baker, Barrett, Barron, Beck, Bedford, Bergman, Bradley, Burns, Butler, Calvert, Camp, Cathey, Caven, Celaya, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Fisher, Ford, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Hester, Hicks, Hill, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Johnson of Dimmit, Johnson of Anderson, Jones of Atascosa, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Lange, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McCullough, McDougald, McGregor, McKee, Merritt, Metcalfe, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roark, Roberts, Rogers of Hunt, Rogers of Ochiltree, Rollins, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Stubbeman, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Winningham, Wood, Young.

The resolution was unanimously adopted.